

**Enrolled Minutes of the Eighth Regular or Special Meeting  
For the Twenty-Seventh Highland Town Council  
Regular Meeting  
Monday, March 26, 2012**

*Study Session.* The Twenty-Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, March 26, 2012 at 6:40 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

**Silent Roll Call:** Councilors Bernie Zemen, Dan Vassar, Brian Novak and Konnie Kuiper were present. Councilor Mark Herak joined the meeting at 6:55 p.m. owing to a work delay. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**General Substance of Matters Discussed.**

1. The Town Council discussed the agenda of the imminent regular meeting.
2. The Redevelopment Director discussed with the Town Council the pending request for tax abatement that was to be filed by SVT, LLC associated with improvements to the Warehouse located on 45<sup>th</sup> Avenue. It was noted that SVT determined rather than move the administrative offices to properties in Illinois, to retrofit and expand the current warehouse property and consolidate its administrative offices to make a Headquarters for SVT at its warehouse site. It is noted that the area is already an *established economic revitalization area*. Keith Bruxvoort, Vice President of Finance for Strack and Van Til, LLC (SVT, LLC) and John Ritchie, Director of Facilities for Strack & Van Til were given leave to show graphic renderings of the proposed improvement to the converted Warehouse.
3. The Town Council discussed the appointments for the Community Events Commission and the council's readiness to act in the imminent meeting.

The study session ended at 7:00 O'clock p.m.

*Regular meeting.* The Twenty Seventh Town Council of the Town of Highland, Lake County, Indiana met in its regular (rescheduled) session on Monday, March 26, 2012 at 7:02 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Council President Bernie Zemen presided and the Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings.

The meeting was opened with a presentation of the colors ceremony conducted by the Girl Scout Troops 10229 and 10280. Councilor Dan Vassar, joined by representatives from the Girl Scout Troops recited the Pledge of Allegiance to the Flag of the United States of America. Councilor Vassar offered a prayer.

**Roll Call:** Present on roll call were Councilors Bernie Zemen, Mark Herak, Dan Vassar, Konnie Kuiper and Brian Novak. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**Additional Officials Present:** Rhett L. Tauber, Town Attorney; John M. Bach, Public Works Director; Peter Hojnicki, Metropolitan Police Chief; Kenneth J. Mika, Building Commissioner; Alex M. Brown, CPRP, Parks and Recreation Superintendent; William R. Timmer, CFOD, and Cecile Petro, Redevelopment Director were present.

*Also present:* Ed Dabrowski IT Director (Contract); and Bruxvoort, Board of Waterworks Directors were also present.

Others present: John Ritchie, Director of Facilities for Strack and Van Tils; Don Torrenge, P.E., of Torrenge Engineering, Engineer for Strack and Van Til were also present.

*Girl Scouts Present:* Skylar Guffey, Troop 10229; Stephanie Slagle, 10229; Megan Wilson, Troop 10280; Mikayla Hayes, Troop 10280; Katelyn Hasley, Troop 10280; Kaitlin Broz, Troop 10280; Amber Kubiak, Troop 10229; and Laurel Roach, Troop Leader were present to participate in the presentation of the colors.

### Minutes of the Previous Meetings

The minutes of the regular meeting of March 12, 2012 were approved by general consent.

**Presentation of Past President Plaque:** Town Council President Zemen presented a plaque to Brian Novak acknowledging his service as the 59<sup>th</sup> Town Council President. Councilor Novak expressed his thanks for the opportunity to serve.

### Special Orders:

1. **Public Hearing:** Proposed Additional Appropriations in Excess of the 2012 Budget in the **Parks Non-Reverting Capital Fund in the amount of \$150,000.**
  - (a) Attorney verification of Proofs of Publication: (The TIMES 08 March 2012). The Town Attorney, Mr. Tauber, indicated that the proofs were in compliance with IC 5-3-1.
  - (b) **Public Hearing.** The Town Council President called the hearing to order. There were no comments written or spoken. The hearing was closed.
  - (c) Action on **Appropriation Enactment No. 2012-16:** An Enactment Appropriating Additional Moneys in Excess of the 2012 Budget in the Parks Non-Reverting Capital Fund in the amount of \$150,000.

Councilor Herak introduced and moved the consideration at the same meeting of introduction of Enactment No. 2012-16. Councilor Novak seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered by the Town Council at its meeting of introduction.

Councilor Herak moved the passage and adoption at the same meeting of introduction of Enactment No. 2012-16. Councilor Kuiper seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment was adopted at its meeting of introduction.

### Town of Highland Appropriation Enactment Enactment No. 2012-16

AN ENACTMENT APPROPRIATING ADDITIONAL MONEYS IN EXCESS OF THE ANNUAL BUDGET for the PARKS NON REVERTING CAPITAL FUND, PURSUANT TO I.C. 6-1.1-18, and I.C. 36-5-3-5.

WHEREAS, Following a public hearing advertised pursuant to I.C. 5-3-1, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for the **Parks Non Reverting Capital Fund**;

WHEREAS, It has been determined that such additional appropriations as may be approved by this enactment, will not increase the levies set under I.C. 6-1.1-17, all pursuant to I.C. 36-5-3-5;

NOW, THEREFORE BE IT ENACTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Parks Non Reverting Capital Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

PARKS NON-REVERTING CAPITAL FUND

|   |                    |
|---|--------------------|
| Acct. No. 3XXX Bid Legal Notice           | \$ 50.00           |
| Acct. No. 3XXX Design and Engineering     | \$ 950.00          |
| Acct. No. 3XXX Site Surveying/Engineering | \$ 4,000.00        |
| <b>Total Series:</b>                      | <b>\$ 5,000.00</b> |

|   |                      |
|---|----------------------|
| Acct. No. 4XXX Park Imprvmnt (Artwork/Message Sign)       | \$ 40,000.00         |
| Acct. No. 4XXX Design/Build 45 <sup>th</sup> Avenue Park: | \$ 105,000.00        |
| <b>Total Series:</b>                                      | <b>\$ 145,000.00</b> |

**Total for Fund: \$ 150,000.00**

**Section 2.** That the Clerk-Treasurer is hereby authorized and instructed to inform the Department of Local Government Finance of this action and that these monies be made available for expenditure pursuant to I.C. 6-1.1-18.

**Section 3.** That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 26<sup>th</sup> Day of March 2012. Consideration on the same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

**DULY ORDAINED AND ADOPTED** this 26<sup>th</sup> Day of March 2012, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

**Bernie Zemen, President (IC 36-5-2-10)**

**ATTEST:**

**Michael W. Griffin, IAMC/MMC/CPFA**  
**Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)**

2. **Public Hearing:** On the matter of Granting Tax abatement, for a period not to exceed 10 years, to Petitioner SVT, LLC (Strack and Van Til), bringing estimated \$3,000,000 in new assessed value, retaining 115 existing jobs and creating approximately 30 new jobs. *(Resolution No. 2012-13 was adopted at 12 March 2012 Council meeting setting this matter for consideration at this meeting.)*
- (a) Attorney verification of proof of publication: (The TIMES 14 March 2012). The Town Attorney, Mr. Tauber indicated that the proofs of publication were in compliance with IC 5-3-1.
- (b) **Public Hearing.** The Town Council President called the hearing to order. There were no comments written or spoken. The hearing was closed.
- (c) Consideration of **Resolution No. 2012-17:** A Resolution Confirming Terms and Conditions Applicable to an Application for a Property Tax Abatement for the conversion of the Strack and Van Til warehouse facility into a Corporate Headquarters Facility located at 2244 Forty-Fifth Street in the Town of Highland, Indiana.

Councilor Kuiper moved the passage and adoption of Resolution No. 2012-17. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted. The tax abatement was granted.

Prior to passage the Town Council President invited Mr. Bruxvoort to display the artists rendering of the proposed improvement once completed.

**TOWN OF HIGHLAND, INDIANA**  
**RESOLUTION NO. 2012-17**

**A RESOLUTION CONFIRMING TERMS AND CONDITIONS APPLICABLE TO AN APPLICATION FOR A  
PROPERTY TAX ABATEMENT FOR THE CONVERSION OF A WAREHOUSE/OFFICE FACILITY INTO  
CORPORATE HEADQUARTERS AT 2440 FORTY FIFTH STREET**

*Applicant: Strack and Van Til, LLC*

**WHEREAS**, Indiana Code 6-1.1-12.1 *et seq.*; amended, (the "Act") allows a partial abatement of property taxes attributable to "Redevelopment" or "Rehabilitation" activities in "Economic Revitalization Areas" as those terms are defined in the Act, and

**WHEREAS**, Property tax abatement, if approved, is applied as a deduction in the increase in assessed value that results from investment in new construction or rehabilitation of property; and

**WHEREAS**, On March 12, 2012, the Highland Town Council adopted **Resolution No. 2012-10** designating an Economic Development Revitalization Area including 2244 Forty Fifth (**Exhibit A**); and

**WHEREAS**, An application for property tax abatement for the conversion of a warehouse/office into corporate headquarters (the "Project") to be located on premises legally described as follows:

Parcel #45-07-32-227-005.000-026

Legal Description: W. 400FT of E. 1115FT of the S350FT of the N. 890FT of NE1/4 S32 T36 R9 (2.847AC EX S40Ft in RD [SUBJ TO ROAD ESMNT W 40FT])

Parcel #45-07-32-227-004.000-026

Legal Description: W. 400FT. of N. 540FT. of E. 1115FT. S.32 T.36 R.9 (4.96AC)

in the Town of Highland, Lake County, Indiana a/k/a 2244 Forty Fifth Street (the "Real Estate") has been received from Strack and Van Til, LLC, a copy of which is attached and incorporated herein by reference (**Exhibit B**); and

**WHEREAS**, Said application proposes a \$3,500,000.00 conversion of a facility, for a net estimated value upon completion of \$6,200,000; that would bring thirty (30) jobs to Highland with an estimated \$2,500,000.00 increase in annual payroll; and that may not proceed but for approval of tax abatement by the Town Council; and

**WHEREAS**, \$2,072,600 is the most recent assessed value of the property that is the subject of this resolution, and

**WHEREAS**, \$5,065,200 is the owner's estimated assessed value of the property upon completion of the Project; and

**WHEREAS**, The Real Estate is located within an Economic Revitalization Area within the Town of Highland; and

**WHEREAS**, The Act empowers the Town Council to approve a deduction as percentage of the increase in assessed value that results from investments in new construction or rehabilitation of property by following a hearing and confirmation of a Preliminary Resolution, provision of a public notice at least ten days before the date of a public hearing, conducting a public hearing and confirmation of a Final Resolution; and

**WHEREAS**, The Town Council adopted **Resolution 2012-13** fixing 7:00 PM, Monday, March 26, 2012, in the Council Chambers, Highland Town Hall, 3333 Ridge Road, Highland, Indiana, as the time and place for a public hearing for receiving testimony, remonstrances and objections from persons interested in or affected by the proposed application for tax abatement and directed the publication of notice of said hearing in accordance with the requirements of applicable law and notice was published ten days prior to the public hearing; and

**WHEREAS**, Notice of the public hearing was given to taxing units consistent with statutory requirements of IC 6-1.1-12.1-3 (a) to provide a "Statement of Benefits" expected to be derived from the proposed application ten days prior to the public hearing; and

**WHEREAS**, Town of Highland has heretofore established a Economic Revitalization Area consistent with its guidelines to create a positive image for the town through well designed, high quality development; increase jobs and generate tax revenues through new development; encourage development of business opportunities for all; encourage private investment along the corridor; enhance district neighborhoods through increased well planned economic opportunities; and to aid in the elimination of incomplete or inappropriate land uses; and

**WHEREAS**, Real estate located at 2244 Forty Fifth Street, Highland, Indiana continues to be undesirable for, or impossible for, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values of or prevent a normal development of property or use of property, and/or such real estate includes a facility or group of facilities that are technologically, economically, or energy obsolete and which such obsolescence may lead to a decline in employment and tax revenues; and

**WHEREAS**, In considering the application and statement of benefits submitted by the petitioner, the Town Council has considered the effective utilization of vacant urban land, the stabilization and conservation of neighborhoods, the rehabilitation and replacement of obsolete and deteriorated structures, improvements to the physical appearance of the Town, effective utilization of energy, avoidance of environmental harm and increases in employment and assessed value of property located within the Town; and

**WHEREAS**, The Town Council now desires to affirmatively act upon the application for tax abatement from Strack and Van Til, LLC, a petitioner who seeks to invest, redevelop and rehabilitate property located at 2244 Forty Fifth Street, a property located in the established Economic Revitalization Area,



**NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED**, by the Town Council of the Town of Highland as follows:

**Section 1.** Having reviewed the designation application and statement of benefits as filed by the petitioner, pursuant to IC 6-1.1-12.1 et seq., and having conducted a public hearing on *Monday, March 26, 2012* regarding this matter, the Town Council as the designating body for the Town of Highland hereby makes the following findings and determinations, pursuant to IC 6-1.1-12.1-3(b):

(A) That the Town Council finds and determines in the affirmative that the estimate of the value of the redevelopment or rehabilitation project located at **2244 Forty Fifth Street, Highland**, consisting of construction costs of \$3,500,000.00 will yield an estimated (by owner) final assessed value of **\$5,065,200.00**, representing an estimated \$3,000,000.00 increase over the current assessed value of **\$2,065,200.00** is reasonable for projects of this nature;

(B) That the Town Council finds and determines in the affirmative that the estimate of thirty (30) individuals who will be employed and the one hundred and fifteen (115) individuals whose employment will be retained, for a total of one hundred and forty five (145) jobs, can be reasonably expected to result from the proposed redevelopment and rehabilitation;

(C) That the Town Council finds and determines in the affirmative that the estimate of a \$8,500,000.00 annual payroll with average salaries of \$58,621.00 per year for those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment or rehabilitation;

(D) That the Town Council finds and determines in the affirmative that all other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed described redevelopment or rehabilitation;

(F) That the Town Council finds and determines in the affirmative that the totality of benefits from the increased private investment by the applicant within the Economic Revitalization Area is sufficient to justify the deduction authorized by this resolution;

**Section 2.** That **Resolution 2012-13** adopted by the Town Council on March 12, 2012, is hereby confirmed and the application for **property tax abatement** upon the *increase in assessed value* in consequence of a conversion of a warehouse/office into a corporate headquarters facility, located at 2244 Forty Fifth Street, which is the subject of this resolution, is hereby approved for a period of time **not to exceed ten (10) calendar years**, according to the schedule in IC 6-1.1-12.1-4(d)(10), subject to continuing compliance with the statement of benefits, IC 6-1.1-12.1 et seq., and the terms of this resolution;

**Section 3.** That pursuant to enabling authority provided at IC 6-1.1-12.1-2(i)(6), as a condition of approval for the deduction in assessed value, the applicant shall contribute **\$41,191.00** to the Town of Highland before permits are issued;

**Section 4.** That the Clerk-Treasurer is authorized and directed to file a certified copy of this resolution, including a description of the real estate, with the Lake County Auditor, and such authorities as may be necessary to perfect this tax abatement authorization, pursuant to IC 6-1.1-12.1-3(d).

**DULY RESOLVED and ADOPTED** this 26<sup>th</sup> Day of March, 2012 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

**ATTEST:**

Michael W. Griffin, IAMC/MMC/CPFA  
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

**EXHIBIT A**

**Resolution No. 2012-10**, A Resolution Designating and Confirming an Economic Development Revitalization Area for Redevelopment Area II for the Commercial Corridors which includes the Property Located at 2244 Forty Fifth Street `

TOWN OF HIGHLAND, INDIANA  
RESOLUTION NO. 2012-10

A RESOLUTION CONFIRMING AN ECONOMIC REVITALIZATION AREA  
COTERMINOUS And COEXTENSIVE WITH THE COMMERCIAL  
CORRIDOR(S) II REDEVELOPMENT AREA

WHEREAS, Indiana Code 6-1.1-12.1 et seq.; amended, (the "Act") allows a partial abatement of property taxes attributable to "Redevelopment" or "Rehabilitation" activities and installation of new machinery and equipment in "Economic Revitalization Areas" as those terms are defined in the Act, and

WHEREAS, The Act provides that such Economic Revitalization Areas are areas within the Town which have:

"...become undesirable for, or impossible of, normal development, and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings or other factors which have impaired values or prevent a normal development of property or use of property", and

WHEREAS, The Act empowers the Town Council to designate Economic Revitalization Areas within the Town by following a procedure hearing, provision of a public notice at least ten days before the date of a public hearing, conducting a public hearing and confirmation of the Preliminary Resolution and a Final Resolution, and

WHEREAS, The Town Council adopted **Resolution 2012-07** fixing 7:00 PM, Monday, January 30, 2012 in the Council Chambers, Highland Town Hall, 3333 Ridge Road, Highland, Indiana, as the time and place for a public hearing for receiving remonstrances and objections from persons interested in or affected by the designation of a Economic Revitalization Area and directed the publication of notice of said hearing in accordance with the requirements of applicable law and notice was published ten days prior to the public hearing; and

WHEREAS, Notice of the public hearing was given to taxing units with a report consistent with statutory requirements of IC 6-1.1-12.1-3 (a) to provide a "Statement of Benefits" expected to be derived from the proposed Economic Revitalization Area ten days prior to the public hearing; and

WHEREAS, Having conducted the public hearing on Monday, January 30, 2012, in which the Town Council received evidence concerning the Economic Revitalization Area, including all remonstrances and objections from interested persons, the Town Council now desires to take appropriate action regarding the designation of an Economic Development Area (ERA), based upon that evidence, the Statement of Benefits and the Council's independent investigation;

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Town Council of the Town of Highland as follows:

**Section 1.** That the Town Council hereby finds and determines that designations of location(s) described in Exhibit A, known as the *Commercial Corridors Redevelopment Area* as an Economic Revitalization Area(s) is consistent with its guidelines, endeavoring to create a positive image for the town through well designed, high quality development; to increase jobs and generate tax revenues through new development; to encourage development of business opportunities for all; to encourage private investment on the several major public ways which are located within the Redevelopment Commercial Corridor II and are generally, Ridge Road, Indianapolis Boulevard, 45<sup>th</sup> Avenue and Cline Avenue; to enhance district neighborhoods through increased well planned economic opportunities; and to facilitate rehabilitation and expansion of the building at this location(s);

**Section 2.** That the Town Council hereby still further finds and determines as follows:

(a) That real estate located described in Exhibit A, known as the *Commercial Corridors Redevelopment Area* continues to be undesirable for, or impossible for, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values of or prevent a normal development of property or use of property, and/or such real estate includes a facility or group of facilities that are technologically, economically, or energy obsolete and which such obsolescence may lead to a decline in employment and tax revenues; and

(b) That the goal for a net increase of *two hundred to three hundred (200-300) full-time equivalent (FTE) jobs* as set forth in the *Statement of Estimated Benefits* associated with the ERA designation can reasonably be expected to result within the *Economic Revitalization Area* with average salaries of *\$ 30,000 to \$40,000* per year from private investment that would not occur but for a property tax abatement incentive; and

(c) That the goal for a *forty million dollar (\$40,000,000.00)* net increase in the assessed value of real estate can reasonably be expected to result within the *Economic Revitalization Area* from private investment that would not occur but for a property tax abatement incentive; and

(d) That the totality of the benefits expected increased private investment within the *Economic Revitalization Area* is sufficient to justify property tax deductions; and

(e) That in making the foregoing findings and determinations regarding designation of the real estate as an *Economic Revitalization Area*, the Town Council has considered the effective utilization of vacant urban land, the stabilization and conservation of neighborhoods, the rehabilitation and

replacement of obsolete and deteriorated structures, improvements to the physical appearance of the Town, effective utilization of energy, avoidance of environmental harm and increases in employment and assessed value of property located within the Town.

(f) That the foregoing findings of fact are true, all information required to be submitted has been submitted in proper form and all requirements for approval of property tax abatement within the Highland Redevelopment Area have been met.

**Section 3.** That **Resolution 2012-07** adopted by the Town Council on January 16, 2012 is hereby confirmed and the real estate located and described in Exhibit A, known as the *Commercial Corridors Redevelopment Area*, is hereby declared, designated and found to be an *Economic Revitalization Area*.

**Section 4.** That a property owner or owners within the *Economic Revitalization Area* who seek tax abatement must submit an application on a form approved by the Redevelopment Commission and a "Statement of Benefits" (Form SB-1) prescribed by the Indiana Department of Local Government Finance before installing new equipment or before the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction. The application will establish standards to be used for evaluating applications for tax deduction that have a reasonable relationship to development objectives and design standards of the Redevelopment Commission.

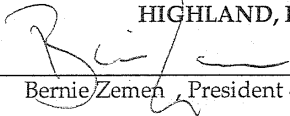
**Section 6.** That along with the application, an Application Fee shall be paid, hereby fixed in the amount of \$250.00 to defray actual processing and administrative costs and an Economic Development Fee, not to exceed 15% of the tax savings over the course of the tax abatement, shall be paid, all subject to law.

**Section 7.** That as part of the consideration of all abatement applications, the Town Council will conduct a public hearing before making its decision whether or not to approve a deduction. The Town Council may approve a deduction period up to ten (10) years.


**Section 8.** That the Clerk-Treasurer is authorized and directed to file a copy of this resolution, including a description of the real estate as contained in **EXHIBIT I**, with the Lake County Auditor.

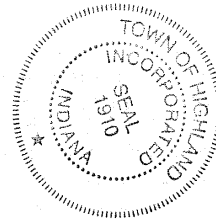
DULY RESOLVED and ADOPTED this 30<sup>th</sup> Day of January 2012, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed. *Resolution*

TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA

  
Bernie Zemen, President (IC 36-5-2-10)

Attest:

  
Michael W. Griffin, IAMC/MMC/CPFA  
Clerk-Treasurer (IC 33-16-4-1; IC 1-1-4-1(5); IC 36-5-6; IC 36-5-6-7)



**EXHIBIT B**

Application for Tax Abatement from SVT, LLC

## TOWN OF HIGHLAND

3333 Ridge Road ♦ Highland, Indiana ♦ 219-972-7598 ♦ fax 219-972-5097

### APPLICATION FOR TAX ABATEMENT

1. Company Name: SVT, LLC
2. Address: 2244 - 45th Street  
Highland, IN 46322
3. Email address: bruxvoortke@s-vt.com
4. Contact name and title: Keith Bruxvoort  
Vice President
5. Phone number: 219-961-9202
6. Fax number: 219-922-2535
7. Web site address (if available): \_\_\_\_\_
8. Brief description of business including SIC code and or principal business activity:  
Retail Supermarkets  
445110
9. Legal description and address of project property (attach additional sheets, if Necessary): 2244-45th Street
  1. W.400ft. of E.1115 ft. of the S.350ft of the N.890ft of NE 1/4 S3  
45-07-32-227-005.000 026
  2. W.400ft. of N.540ft of E.1115ft.s.32 T.36 R.9 496AC  
45-07-32-227-004 000 026

10. Current uses and conditions of property:

Corporate Office Building and warehousing

11. Is the project an expansion or relocation?

Expansion - conversion or warehousing to offices -

New Front Exterior

12. If the project is relocation, please identify the State, County and local jurisdiction that you are relocating from and why:

Parent Company is in Joliet, Illinois and they requested us to  
consolidate at their new facility, but logistics of staff did not work  
and they have agreed to our expansion here.

13. What is the project estimated start and completion date?

Start Date 5-1-12

Completion 9-1-12

14. Type and amount of new investment:

Real Property:

Land: -0-

Improvements: 3,500,000

Personal Property:

Manufacturing equipment: \_\_\_\_\_

Research and development equipment: \_\_\_\_\_



15. Estimated tax benefits to the Town of Highland:

Real Property: \$60,000 per year

Personal Property: \_\_\_\_\_

16. Attach the following:

Exhibit A: Plats or maps of project area

Exhibit B: Drawings and photos

Exhibit C: Signage and landscape plans as applicable

17. Current number of employees in the Town: 460

18. Current number of employees in the State of Indiana: 2850

19. Estimated number of construction jobs (if applicable): 25

20. Number of estimated new full and part-time jobs as a result of the project:

25

21. Attach Exhibit D: job descriptions and wage ranges

22. Estimated number of trucks per day (if applicable): None

23. Attach Exhibit E: Letter of financial commitment No borrowing necessary

24. Number of years that the applicant is requesting tax abatement: 10

25. Other incentives requested from the Town of Highland or State of Indiana:

None

Upon favorable review and passage by the Town Council, the successful applicant will be required to contribute an amount of up to 1% of the total project investment to the Town of Highland Economic Development Fund. The Town Council will determine the specific dollar amount at time of final approval for tax abatement. Contributions to this fund shall be used for community and economic development purposes, and other public benefit as directed by the Town Council.

I affirm under penalties of perjury that the above information is true and correct.

(signed) Keith E. Brubaker  
(Title) Vice President  
(Date) 2-17-12



**STATEMENT OF BENEFITS  
REAL ESTATE IMPROVEMENTS**

State Form 51767 (R2 / 1-07)  
Prescribed by the Department of Local Government Finance

20\_\_ PAY 20\_\_

FORM SB-1 / Real Property

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):  
☐ Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)  
☐ Eligible vacant building (IC 6-1.1-12.1-4.8)

**INSTRUCTIONS:**

1. This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body BEFORE the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction. "Projects" planned or committed to after July 1, 1987, and areas designated after July 1, 1987, require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)
2. Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to initiation of the redevelopment or rehabilitation, BEFORE a deduction may be approved.
3. To obtain a deduction, application Form 322 ERA/RE or Form 322 ERA/VBD, whichever is applicable, must be filed with the County Auditor by the later of (1) May 10; or (2) thirty (30) days after the notice of addition to assessed valuation or new assessment is mailed to the property owner at the address shown on the records of the township assessor.
4. Property owners whose Statement of Benefits was approved after June 30, 1981, must attach a Form CF-1/Real Property annually to the application to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.1(b) and IC 6-1.1-12.1-5.3(f))
5. The schedules established under IC 6-1.1-12.1-4(d) for rehabilitated property and under IC 6-1.1-12.1-4.8(1) for vacant buildings apply to any statement of benefits approved on or after July 1, 2000. The schedules effective prior to July 1, 2000, shall continue to apply to a statement of benefits filed before July 1, 2000.

| SECTION 1 TAXPAYER INFORMATION  |                              |   |  |  |                              |
|---|------------------------------|---|--|--|------------------------------|
| Name of taxpayer<br><b>SVT, LLC</b>   |                              |   |  |  |                              |
| Address of taxpayer (number and street, city, state, and ZIP code)<br><b>2244-45th Street, Highland, IN 46322</b> |                              |   |  |  |                              |
| Name of contact person<br><b>Keith Bruxvoort</b>  |                              | Telephone number<br><b>219-961-9220</b> |  | E-mail address<br><b>bruxvoortke@svt.com</b> |                              |
| SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT  |                              |   |  |  |                              |
| Name of designating body<br><b>Town of Highland</b>   |                              |   |  |  |                              |
| Resolution number   |                              |   |  |  |                              |
| Location of property<br><b>2244-45th Street, Highland</b>   |                              | County<br><b>Lake</b>                   |  | DLGF taxing district number<br><b>026</b>    |                              |
| Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary)  |                              |   |  |  |                              |
| Estimated start date (month, day, year)<br><b>5-1-12</b>  |                              |   |  |  |                              |
| Estimated completion date (month, day, year)<br><b>9-1-12</b>   |                              |   |  |  |                              |
| SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT  |                              |   |  |  |                              |
| Current number<br><b>115</b>  | Salaries<br><b>6,000,000</b> | Number additional<br><b>115</b>         | Salaries<br><b>6,000,000</b>                 | Number additional<br><b>30</b>               | Salaries<br><b>2,500,000</b> |
| SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT  |                              |   |  |  |                              |
| NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.                             |                              |   |  |  |                              |
|   |                              |   | REAL ESTATE IMPROVEMENTS                     |  |                              |
|   |                              |   | COST   | ASSESSED VALUE                               |                              |
| Current values  |                              |   | <b>2,700,000</b>                             | <b>2,065,200</b>                             |                              |
| Plus estimated values of proposed project   |                              |   | <b>3,500,000</b>                             | <b>3,000,000</b>                             |                              |
| Less values of any property being replaced  |                              |   |  |  |                              |
| Net estimated values upon completion of project   |                              |   | <b>6,200,000</b>                             | <b>5,065,200</b>                             |                              |
| SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER   |                              |   |  |  |                              |
| Estimated solid waste converted (pounds)  |                              |   | Estimated hazardous waste converted (pounds) |  |                              |
| Other benefits  |                              |   |  |  |                              |
| SECTION 6 TAXPAYER CERTIFICATION  |                              |   |  |  |                              |
| I hereby certify that the representations in this statement are true.   |                              |   |  |  |                              |
| Signature of authorized representative  |                              | Title                                   |  | Date signed (month, day, year)               |                              |

| FOR USE OF THE DESIGNATING BODY   |                              |                                       |  |                              |                             |                                   |                              |                             |                                   |                              |                             |
|---|------------------------------|---------------------------------------|--|------------------------------|-----------------------------|-----------------------------------|------------------------------|-----------------------------|-----------------------------------|------------------------------|-----------------------------|
| <p>We have reviewed our prior actions relating to the designation of this Economic Revitalization Area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1, provides for the following limitations:</p>   |                              |                                       |  |                              |                             |                                   |                              |                             |                                   |                              |                             |
| <p>A. The designated area has been limited to a period of time not to exceed _____ calendar years * (see below). The date this designation expires is _____.</p>  |                              |                                       |  |                              |                             |                                   |                              |                             |                                   |                              |                             |
| <p>B. The type of deduction that is allowed in the designated area is limited to:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 80%;">1. Redevelopment or rehabilitation of real estate improvements</td> <td style="width: 10%; text-align: center;"><input type="checkbox"/> Yes</td> <td style="width: 10%; text-align: center;"><input type="checkbox"/> No</td> </tr> <tr> <td>2. Residentially distressed areas</td> <td style="text-align: center;"><input type="checkbox"/> Yes</td> <td style="text-align: center;"><input type="checkbox"/> No</td> </tr> <tr> <td>3. Occupancy of a vacant building</td> <td style="text-align: center;"><input type="checkbox"/> Yes</td> <td style="text-align: center;"><input type="checkbox"/> No</td> </tr> </table>   |                              |                                       | 1. Redevelopment or rehabilitation of real estate improvements | <input type="checkbox"/> Yes | <input type="checkbox"/> No | 2. Residentially distressed areas | <input type="checkbox"/> Yes | <input type="checkbox"/> No | 3. Occupancy of a vacant building | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 1. Redevelopment or rehabilitation of real estate improvements  | <input type="checkbox"/> Yes | <input type="checkbox"/> No           |  |                              |                             |                                   |                              |                             |                                   |                              |                             |
| 2. Residentially distressed areas   | <input type="checkbox"/> Yes | <input type="checkbox"/> No           |  |                              |                             |                                   |                              |                             |                                   |                              |                             |
| 3. Occupancy of a vacant building   | <input type="checkbox"/> Yes | <input type="checkbox"/> No           |  |                              |                             |                                   |                              |                             |                                   |                              |                             |
| <p>C. The amount of the deduction applicable is limited to \$ _____.</p>  |                              |                                       |  |                              |                             |                                   |                              |                             |                                   |                              |                             |
| <p>D. Other limitations or conditions (specify) _____</p>   |                              |                                       |  |                              |                             |                                   |                              |                             |                                   |                              |                             |
| <p>E. The deduction is allowed for _____ years* (see below).</p>  |                              |                                       |  |                              |                             |                                   |                              |                             |                                   |                              |                             |
| <p>We have also reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.</p>   |                              |                                       |  |                              |                             |                                   |                              |                             |                                   |                              |                             |
| <p>Approved (signature and title of authorized member of designating body)</p>  | <p>Telephone number</p>      | <p>Date signed (month, day, year)</p> |  |                              |                             |                                   |                              |                             |                                   |                              |                             |
| <p>Attested by (signature and title of attester)</p>  | <p>Designated body</p>       |                                       |  |                              |                             |                                   |                              |                             |                                   |                              |                             |
| <p>* If the designating body limits the time period during which an area is an economic revitalization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 6-1.12-12.1-4.</p> <p>A. For residentially distressed areas, the deduction period may not exceed five (5) years.</p> <p>B. For redevelopment and rehabilitation or real estate improvements:</p> <ol style="list-style-type: none"> <li>1. If the Economic Revitalization Area was designated prior to July 1, 2000, the deduction period is limited to three (3), six (6), or ten (10) years.</li> <li>2. If the Economic Revitalization Area was designated after June 20, 2000, the deduction period may not exceed ten (10) years.</li> </ol> <p>C. For vacant buildings, the deduction period may not exceed two (2) years.</p> |                              |                                       |  |                              |                             |                                   |                              |                             |                                   |                              |                             |



*Exhibit D*

Strack and Van Til      Ultra Foods      Town & Country

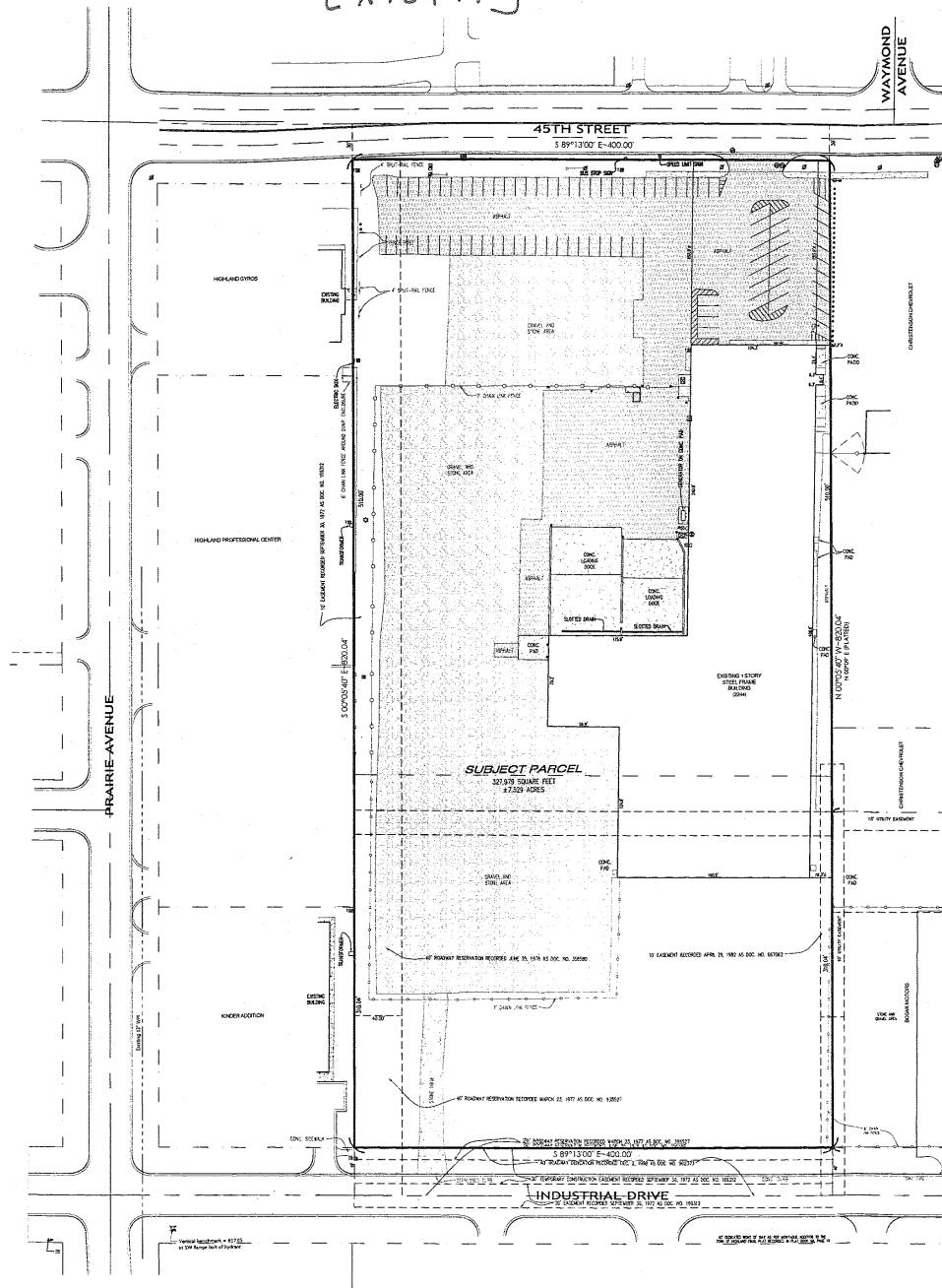
**Hourly Employees**

|                        |                   |
|------------------------|-------------------|
| Clerical Employees     | \$9.00 - 14.00    |
| Administrative Support | \$13.00 - \$20.00 |

**Salaried Employees**

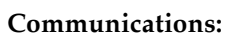
|                     |                       |
|---------------------|-----------------------|
| Purchasing Staff    | \$ 60,000 - \$90,000  |
| IT Staff            | \$ 50,000 - \$100,000 |
| Department Managers | \$ 45,000 - \$75,000  |
| Officers            | \$100,000 +           |





- NOTES:
1. TOTAL SITE AREA=
  2. CURRENT ZONING: P
  3. THIS PROPERTY IS 1 ANNUAL CHANCE FLOOD; DEPTH OF LESS THAN 1 MILE; AND AREAS PROTE THERE ARE NO FLOODWA FEMA FLOOD INSURANCE INDIANA, MAP NUMBER
  4. LOCATION:  
LATITUDE - 41°32'11"  
LONGITUDE - 87°28'
  5. SEE ARCHITECTURAL PROPOSED BUILDING ADD
  6. PARKING PROVIDED:





1. Letter from *Tauber, Westland, and Bennett, P.C.* informing the Town Council of the pending dissolution of Tauber, Westland, and Bennett, reporting the successor law firms and seeking action from the Town Council regarding selection of legal counsel particularly for Plan Commission, Advisory Board of Zoning Appeals and Ordinance prosecution.

Councilor Novak moved and Councilor Kuiper seconded that the *Tauber Law Offices, P.C.* be selected as Town Attorney, and ordinance prosecutor (solicitor), further that the Highland Plan Commission be instructed to affirm and select the law firm of *Tauber Law Offices, P.C.* as legal counsel for the Plan Commission and the Advisory Board of Zoning Appeals, pursuant to IC 36-7-4-311(a), all to be effective April 1, 2012. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. Tauber Law Offices was affirmed as Town Attorney and Ordinance prosecutor.

• **Statutory Boards and Commissions**

*Executive Appointments: (made by Town Council President)*

Home Rule Commissions

1. **Community Events Commission:** (1) appointment to be made by the Town Council President. **Term: 4 years.** (Note: currently vacant, lost one year without appointment. Term will expire 1 Jan 2015)

*Legislative Appointments (made by the Town Council)*

Home Rule Commissions

1. **Community Events Commission:**  
(9) appointments to be made by the Town Council. **Term: 1 year.** (Note: Currently serving, Rose James, Maria Culbertson, Phillip Culbertson, Brandon Wolak, Ericka Rozenich, Bob Benham, Adam Nyiri, and two vacancies)

Councilor Vassar moved that the following persons be appointed to the Community Events Commission. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The following persons were re-appointed or appointed for the first time.

Rose James, 3338 LaPorte Street, Highland, Indiana

Maria Culbertson, 3118 Ridge Road, Highland, Indiana

Phillip Culbertson, 3118 Ridge Road, Highland, Indiana

Brandon Wolak, 3836 Highway Avenue, Highland, Indiana

Ericka Rozenich, 3106 Farmer Drive, Highland, Indiana

Bob Benham, 3930 Jewett Street, Highland, Indiana

Adam Nyiri, 8952 Cottage Grove Avenue, Highland, Indiana

Jerry Kuiper, XXXX XXXXXXXX, Highland, Indiana

Dawn Kuiper, XXXX XXXXXX, Highland, Indiana

2. **Main Street Bureau Board of Directors:**

Councilor Vassar moved seconded by Councilor Novak, the initial appointment of Vickie Rust, First Midwest Bank Highway Avenue Branch Manager, 2842 Highway Ave, Highland, to the Board of Directors of the Main Street Bureau. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The appointment was approved.

**Unfinished Business and General Orders:**

1. **Works Board No. 2012-07:** A Preliminary Order for the Garfield Avenue Reconstruction Project and Financing thereof through Municipal General Improvement Fund and Special Assessments from Property Owners Benefiting from such Improvements.

Councilor Novak moved the passage and adoption of Works Board Order No. 2012-07. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**TOWN OF HIGHLAND**  
Order of the Works Board No. 2012-07

**A PRELIMINARY ORDER FOR THE GARFIELD AVENUE RECONSTRUCTION PROJECT AND FINANCING THEREOF THROUGH MUNICIPAL GENERAL IMPROVEMENT FUND AND SPECIAL ASSESSMENTS FROM PROPERTY OWNERS BENEFITING FROM SUCH IMPROVEMENTS**

**Whereas**, pursuant to IC 36-1-2-24, the Town Council is the works board for the Town of Highland, Indiana (the "Town"); and

**Whereas**, pursuant to Ordinance No. 1084, adopted by the Town Council on March 23, 1998, the Town has established a Municipal General Improvement Fund to provide monies to construct, repair, reconstruct or improve certain streets, alleys, sidewalks, curbs, gutters and sewers within the Town; and

**Whereas**, several residents of the **3500 blocks of Garfield Avenue** have requested consideration of the Town of Highland to install concrete curbs and to replace substandard sidewalks; and

**Whereas**, the cost for curb and sidewalk replacement shall be paid for by the adjoining property owners based upon front footage of their property through a special assessment pursuant to the Special General Improvement District statute; and,

**Whereas**, the Town Council desires to proceed with the **Garfield Avenue Reconstruction Project** and to finance the portion of the cost of such projects relating to reconstruction of curbs and sidewalks (each such portion of a project, an "Improvement") through the Municipal General Improvement Fund; and

**Whereas**, the Town has retained Garcia Consulting to prepare plans and specifications for the **Garfield Avenue Reconstruction Project**; and

**Whereas**, the Town desires to finance the costs of the improvements pursuant to assessments to be collected from the property owners benefited by the respective proposed improvements as set forth in IC 36-9-36.

**Now Therefore**, be it resolved by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That the Town Council hereby makes a preliminary determination to proceed with the **Garfield Avenue Reconstruction Project** and to finance the cost of the improvements through the Municipal General Improvement Fund and the collection of special assessments from property owners benefited by the respective improvements pursuant to IC 36-9-36.

**Section 2.** That the Town Council hereby adopts the plans and specifications for the projects and directs the Project Engineer to place on file cross-sections, general plans and specifications for each of the improvements.

**Section 3.** That the Town Council hereby adopts the estimate of the maximum cost of each of the improvements attached hereto as Exhibit A and directs the Clerk Treasurer to place such estimate of maximum costs on file in the office of the Town Council.

**Section 4.** That the Town Council hereby determines to hold a public hearing regarding each of the improvements and whether the benefits that will accrue to the property liable to be assessed for the respective improvements will equal the maximum estimated cost of each of the improvements, which public hearing will be held at the regular meeting place of the Town Council at **7:00 P.M. on April 9, 2012**, and the Town Council further directs the Clerk Treasurer to publish notice of such hearing and to mail notice of such hearing to property owners affected by the respective improvements.

**Be it So Ordered.**

**Duly adopted** by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 26<sup>th</sup> day of March, 2012 by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL OF THE TOWN OF  
HIGHLAND, INDIANA**

Bernie Zemen, President

*Attest:*

Michael W. Griffin, IAMC/MMC/CPFA  
Clerk-Treasurer

2. **Works Board Order No. 2012-08:** An Order of the Works Board Authorizing Midwestern Electric, Incorporated to Perform the Traffic Signal Annual Inspection and Maintenance for 2012.

Councilor Novak moved the passage and adoption of Works Board Order No. 2012-08. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

Councilor Herak under discussion engaged a colloquy with the Public Works Director regarding details of traffic lighting synchronization, and timing of lights in some stretches of Kennedy Avenue.

TOWN OF HIGHLAND  
Board of Works  
ORDER OF THE WORKS BOARD 2012-08

**An Order of the Works Board Authorizing Midwestern Electric, Incorporated to Perform the Traffic Signal Annual Inspection and Maintenance for 2012**

**Whereas**, The Town of Highland, Department of Public Works, as part of its public duties, has responsibility for the operation and maintenance of traffic signals in the Town of Highland; and

**Whereas**, Routine annual traffic signal inspections and maintenance is necessary to assure that traffic signals and associated equipment is good working condition for the public's safety and welfare; and

**Whereas**, Midwestern Electric, Incorporated has provided a proposal to perform the work, attached hereto, at a total cost of **\$12,322.57** and the work includes Conflict Monitor Check, Controller Cabinet and Intersection Inspection, and Annual Re-lamp and Overhead Inspection (with and without pedestrian Signals) as well as the overhead inspection with pedestrian signals for light emitting diode (LED) equipped lights; and

**Whereas**, The Public Works Director, pursuant to §31.19(D)(1) of the HMC, serves as the Purchasing Agent for the Public Works Department; and

**Whereas**, The Town Council as the Works Board of the Municipality, pursuant to §31.17(A)(1) of the HMC serves as purchasing agency for the Public Works Department; and

**Whereas**, The purchase price exceeds \$10,000.00 and, pursuant to §31.18(C) of the HMC requires the express approval of the purchasing agency; and

**Whereas**, The purchase will be supported by the Motor Vehicle Highway fund and there is sufficient appropriation in order to support the work; and

**Whereas**, The Town Council now desires to authorize the Public Works Director to complete the work pursuant to the terms stated herein,

**Now Therefore Be it Resolved** by the Town Council of the Town of Highland, Lake County, Indiana;

**Section 1.** That the proposal for Midwestern Electric, Incorporated, *attached hereto* and made a part of this Resolution, is approved pursuant to the terms contained therein;

**Section 2.** That the Works Board for the Town of Highland believes that Midwestern Electric, Incorporated has demonstrated professional competence and qualifications to perform the particular professional services called for in the proposal and associated project;

**Section 3.** That the Works Board for the Town of Highland finds the fees and charges for the services as set forth in the proposal for inspection and maintenance work on traffic control system, from Midwestern Electric, Incorporated to be reasonable and fair and hereby approved;

**Section 4.** That the Public Works Director is hereby authorized to issue a purchase order to Midwestern Electric, Incorporated and to execute all documents necessary to implement the work;

**Section 5.** That the Municipal Fiscal Officer is hereby authorized to expend money from the appropriate fund or funds of the municipality in order to support and implement the work.

**Be it So Ordered.**

**DULY, PASSED AND ADOPTED** by the Town Council acting as the Board of Works of the Town of Highland, Lake County, Indiana this 26<sup>th</sup> day of March 2012 having passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA

Bernie Zemen, President (IC 36-5-2-10)

*Attest:*

Michael W. Griffin, IAMC/MMC/CPFA  
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

3. **Proposed Enactment No. 2012-18:** An Enactment to Approve In Advance Overtime Payments for FSLA exempt salaried Personnel as set forth in Section 3 of the Wage and Salary Ordinance, Waiving Section 2.01 of the Compensation and Benefits Ordinance, and Suspending Section 10 (e) (3) and (4) of Salary Ordinance, for a time certain.

Councilor Kuiper introduced and moved the consideration at the same meeting of introduction of Enactment No. 2012-18. Councilor Novak seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered by the Town Council at its meeting of introduction.

Councilor Kuiper moved the passage and adoption at the same meeting of introduction of Enactment No. 2012-18. Councilor Novak seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment was adopted at its meeting of introduction.

**Town of Highland  
ENACTMENT NO. 2012-18**

**An Enactment to Approve In Advance Overtime Payments for FSLA exempt salaried Personnel as set forth in Section 3 of the Wage and Salary Ordinance, Waiving Section 2.01 of the Compensation and Benefits Ordinance, and Suspending Section 10 (e) (3) and (4) of Salary Ordinance, for a time certain.**

**WHEREAS**, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

**WHEREAS**, Section fifteen of that chapter specifically provides that a unit of government may fix the level of compensation of its officers and employees; and

**WHEREAS**, I.C. 36-5-3-2 further provides in pertinent part that the town legislative body shall provide reasonable compensation for the other town officers and employees;

**WHEREAS**, The current wage and salary ordinance provides for no particular rate for overtime worked for this, except as may be experienced under the terms of Section § 4.03.02 of the Compensation and Benefits Ordinance, which reads: *"Patrol Division Police Officers work on a twenty-four day work cycle beginning with the first day of the cycle on a 4 days on and 2 days off schedule with an 8.5 hour work day, 39.88 hour work week. Pursuant to the Fair Labor Standards Act (FLSA), the maximum number of hours to be worked prior to time and one-half compensation for overtime is 147 hours for the twenty-four day work cycle;*

**WHEREAS**, Absent action by the Town Council, the current language governing such pay for such an assigned detail, when worked by FSLA exempt salaried persons, is silent, and there is no guidance about what schedule or work cycle Fair Labor Standards Act (FLSA) exempt salaried employees are subject to, since overtime pay is not regularly payable to FSLA exempt salaried employees; and,

**WHEREAS**, The Metropolitan Police Chief has recommended that the Town Council authorize for him to approve payments to be made to the particular FSLA exempt salaried personnel, to be based upon actual hours worked on the detail at a rate of 1.5 times the FSLA exempt salaried officer's base pay plus longevity; and,

**WHEREAS**, The Metropolitan Police Chief has further requested that the Town Council authorize for him to approve payments to be made to the particular FSLA exempt salaried personnel, to be based upon actual hours worked on the detail at a rate which may be already specified in the Wage and Salary Ordinance; and,

**WHEREAS**, The Town Council now desires to act to permit the pay as recommended,

**NOW, THEREFORE, BE IT HEREBY ENACTED** by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That the provisions of Section 10 (e) (3) of the Wage and Salary Ordinance as amended, particularly reading *"Overtime provisions of the Compensation and Benefits Ordinance notwithstanding, the following special assignment will be paid at 1.5 times the composite rate (base rate plus longevity rate) of the assigned officer for hours performing the special assignment, provided such rate is lawful and authorized under the terms of the supporting grant"*, shall be temporarily suspended and modified to permit an FSLA exempt salaried worker to be paid at an overtime rate at 1.5 times the assigned exempt salaried

*officer's composite rate for work NOT supported by a grant, and for which an non-exempt officer would usually be assigned for special details or assignments for which another pay rate has not been assigned, as the Metropolitan Police Chief may determine;*

**Section 2.** That the provisions of Section 10 (e) (4) of the Wage and Salary Ordinance as amended, particularly reading, "No rate of pay may be fixed for any regular duty or special detail or described employment, regardless of the source of funds, that has not been authorized or provided for in this Wage and Salary Ordinance as amended in effect or the Compensation and Benefits Ordinance as amended and in effect," shall be temporarily suspended and waived for the purpose of permitting exempt supervisory personnel to be paid an the hourly rate which is 1.5 times the calculated hourly rate plus longevity for the bi-weekly salary associated with the position held by the exempt supervisory person, *when performing patrol or a detail for which a rate of pay is not otherwise provided or fixed in the most recent adopted wage and salary ordinance, as amended;*

**Section 3.** That provisions of Section § 04.03.01 of the Compensation and Benefits Ordinance, which provides that "FSLA exempt salaried employees will not receive overtime pay or compensatory time off, unless specifically authorized by the Town Council..." and Section § 2.01 which identifies the several positions as Exempt under the terms of the FLSA, *thereby not eligible for overtime payments,* are hereby suspended temporarily, approving overtime pay for FSLA exempt salaried employees, *when performing a detail for which a rate of pay is provided or fixed in the most recently adopted wage and salary ordinance, as amended;*

**Section 4.** That the forgoing action is limited to the instances herein described, and shall be construed as Town Council authorization and approval for payments to be made for overtime to FSLA exempt salaried personnel, as the Metropolitan Police Chief may direct subject to the terms of this ordinance;

**Section 5.** That this approval and authorization set forth in this enactment, shall expire on December 31, 2012;

**Section 6.** That the provisions of Section 10 of the Wage and Salary Ordinance and Sections § 2.01 and § 4 of the Compensation and Benefits Ordinance otherwise remain in full force and effect;

**Section 7.** That the Metropolitan Police Chief shall use the usual forms and documents, which shall require the signature of the Town Council President, and the Metropolitan Police Chief and shall be filed with with the Clerk-Treasurer as a financial record, pursuant to IC 36-5-4-14.

Introduced and Filed on the 26<sup>th</sup> day of March 2012. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and a vote of 0 opposed, pursuant to IC 36-5-2-9.8.

**DULY ORDAINED and ADOPTED** this 26<sup>th</sup> day of March 2012, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

**Attest:**

Michael W. Griffin, IAMC/MMC/CPFA  
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

4. **Works Board Order No. 2012-09:** An Order Approving and Authorizing the Entry into a Service Agreement with AT&T for Certain Telecommunications Local Distribution Channel Services, under §31.22 of the Municipal Code.

Councilor Vassar moved the passage and adoption of Works Board Order No. 2012-09. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The works board order was adopted.

**Town of Highland  
Board of Works  
Order of the Works Board 2012-09**

**AN ORDER APPROVING AND AUTHORIZING THE ENTRY INTO A SERVICE AGREEMENT WITH AT&T FOR CERTAIN TELECOMMUNICATIONS LOCAL DISTRIBUTION CHANNEL SERVICES, UNDER §31.22 OF THE MUNICIPAL CODE.**

**Whereas,** The IT Director (Contract), CBL Consulting, Inc., has recommended a renewal to current telecommunications and broadband services agreement and has secured a quote from AT&T, the current provider, for the monthly local distribution channels services styled as LDC's in the total monthly amount of \$720.00, for a period of 24 months; and

**Whereas,** The Town Council as the Works Board of the Municipality, pursuant to §31.17(A) and (B) of the Municipal Code serves as purchasing agency for the executive departments of the municipality, and the utilities when costs are to be shared; and

**Whereas,** The amount exceeds ten thousand (\$10,000) and is for a term of greater than one year, pursuant to §31.18(C) of the Municipal Code, requires the express approval of the purchasing agency; and

**Whereas,** The Highland Municipal Code Section §31.22 provides that the purchase of services may in a manner that the purchasing agency determines to be reasonable and appropriate; and

**Whereas,** The payments will be supported by an appropriation in the Information and Communications Technology Fund; and

**Whereas,** The Town Council now desires to approve and authorize the proper officer to enter a service agreement pursuant to the terms stated herein.

**Now Therefore Be it Ordered** by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality as follows:

**Section 1.** That the Town Council President is hereby directed and authorized to execute the necessary documents to support the acceptance and approval of the telecommunications services agreement with AT&T, a copy of which is attached as an exhibit and made a part of this order, for a term of 24 months, in the monthly amount of \$720.00, for a total amount over the term of the agreement of \$17,280;

**Section 2.** That purchase agency believes the manner of this purchase of service is reasonable and appropriate, as are the charges for the term of thirty-six months.

**Section 3.** That the Town Council President is authorized and directed to execute the agreement and any additional documents in order to implement the service agreement.

**Be it So Ordered.**

**DULY, PASSED, ADOPTED and Ordered** by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 26<sup>th</sup> day of March 2012 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

*Attest:*

Michael W. Griffin, IAMC/MMC/CPFA  
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

5. Clerk-Treasurer has filed encumbrances report for from 2011 into 2012. Action to acknowledge the filing and to authorize the reports contents to be included in the minutes of the meeting.

Councilor Kuiper moved to acknowledge the filing of the encumbrances report and to authorize its inclusion in the minutes of the meeting. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The encumbrances were acknowledged and authorized for the record.

---

**Purchase Orders From 2011 into 2012**

---

**Corporation General Fund:**

(departmentalized)

*Office of the Town Council*

|                          |           |                  |
|--------------------------|-----------|------------------|
| Personnel Services       | \$        | -                |
| Supplies                 | \$        | -                |
| Other Services & Charges | \$        | 19,938.67        |
| Capital Outlays          | \$        | -                |
| <b>Department Total:</b> | <b>\$</b> | <b>19,938.67</b> |

---

*Advisory Board of Zoning Appeals*

|                          |           |               |
|--------------------------|-----------|---------------|
| Personnel Services       | \$        | -             |
| Supplies                 | \$        | 196.16        |
| Other Services & Charges | \$        | 255.00        |
| Capital Outlays          | \$        | -             |
| <b>Department Total:</b> | <b>\$</b> | <b>451.16</b> |

*Volunteers in Policing*

|                          |           |                 |
|--------------------------|-----------|-----------------|
| Personnel Services       | \$        | 97              |
| Supplies                 | \$        | 1,557.60        |
| Other Services & Charges | \$        | 2,113.00        |
| Capital Outlays          | \$        | -               |
| <b>Department Total:</b> | <b>\$</b> | <b>3,767.41</b> |

*Office of the Clerk-Treasurer*

|                          |           |                 |
|--------------------------|-----------|-----------------|
| Personnel Services       | \$        | 1,886.81        |
| Supplies                 | \$        | 1,894.96        |
| Other Services & Charges | \$        | -               |
| Capital Outlays          | \$        | -               |
| <b>Department Total:</b> | <b>\$</b> | <b>3,781.77</b> |

*Building Inspection Department*

|                          |           |                  |
|--------------------------|-----------|------------------|
| Personnel Services       | \$        | 3,945.06         |
| Supplies                 | \$        | 492.04           |
| Other Services & Charges | \$        | 36,546.08        |
| Capital Outlays          | \$        | -                |
| <b>Department Total:</b> | <b>\$</b> | <b>40,983.18</b> |

*Plan Commission Dept.*

|                          |           |                 |
|--------------------------|-----------|-----------------|
| Personnel Services       | \$        | -               |
| Supplies                 | \$        | 246.16          |
| Other Services & Charges | \$        | 1,145.98        |
| Capital Outlays          | \$        | -               |
| <b>Department Total:</b> | <b>\$</b> | <b>1,392.14</b> |

*Fire Department*

|                          |           |                  |
|--------------------------|-----------|------------------|
| Personnel Services       | \$        | 22,254.10        |
| Supplies                 | \$        | 14,043.09        |
| Other Services & Charges | \$        | 13,441.53        |
| Capital Outlays          | \$        | 12,995.73        |
| <b>Department Total:</b> | <b>\$</b> | <b>62,734.45</b> |

*Metropolitan Police Department*

|                          |           |                   |
|--------------------------|-----------|-------------------|
| Personnel Services       | \$        | 150,482.07        |
| Supplies                 | \$        | 57,816.04         |
| Other Services & Charges | \$        | 41,625.48         |
| Capital Outlays          | \$        | -                 |
| <b>Department Total:</b> | <b>\$</b> | <b>249,923.59</b> |



|                              |           |                   |
|------------------------------|-----------|-------------------|
| <i>Sanitation Department</i> |           |                   |
| Personnel Services           | \$        | -                 |
| Supplies                     | \$        | 614.29            |
| Other Services & Charges     | \$        | 117,674.89        |
| Capital Outlays              | \$        | -                 |
| <b>Department Total:</b>     | <b>\$</b> | <b>118,289.18</b> |

|   |           |                  |
|---|-----------|------------------|
| <i>Services &amp; Works Board Dept.</i> |           |                  |
| Personnel Services                      | \$        | -                |
| Supplies                                | \$        | -                |
| Other Services & Charges                | \$        | 35,074.21        |
| Capital Outlays                         | \$        | -                |
| <b>Department Total:</b>                | <b>\$</b> | <b>35,074.21</b> |

|                                      |           |               |
|--------------------------------------|-----------|---------------|
| <i>Town Hall and Monuments Dept.</i> |           |               |
| Personnel Services                   | \$        | 366.01        |
| Supplies                             | \$        | -             |
| Other Services & Charges             | \$        | 238.68        |
| Capital Outlays                      | \$        | -             |
| <b>Department Total:</b>             | <b>\$</b> | <b>604.69</b> |

**Fund Total: \$ 536,940.45**

**Redevelopment General Fund:**

|                          |           |                 |
|--------------------------|-----------|-----------------|
| Personnel Services       | \$        | 1,049.49        |
| Supplies                 | \$        | 450.00          |
| Other Services & Charges | \$        | 3,399.18        |
| Capital Outlays          | \$        | -               |
| <b>Fund Total:</b>       | <b>\$</b> | <b>4,898.67</b> |

**Rainy Day Fund**

|                          |           |                 |
|--------------------------|-----------|-----------------|
| Personnel Services       | \$        | -               |
| Supplies                 | \$        | -               |
| Other Services & Charges | \$        | 4,000.00        |
| Capital Outlays          | \$        | -               |
| <b>Fund Total:</b>       | <b>\$</b> | <b>4,000.00</b> |

**Parks and Recreation Fund:**

|                          |           |                  |
|--------------------------|-----------|------------------|
| Personnel Services       | \$        | 15,803.24        |
| Supplies                 | \$        | 4,712.85         |
| Other Services & Charges | \$        | 28,907.13        |
| Capital Outlays          | \$        | -                |
| <b>Fund Total:</b>       | <b>\$</b> | <b>49,423.22</b> |

**Park Capital Non-Reverting Fund**

|                    |           |                   |
|--------------------|-----------|-------------------|
| Capital Outlays    | \$        | 101,298.04        |
| <b>Fund Total:</b> | <b>\$</b> | <b>101,298.04</b> |

**Special Public Safety Fund**

|                          |           |                 |
|--------------------------|-----------|-----------------|
| Personnel Services       | \$        | -               |
| Supplies                 | \$        | -               |
| Other Services & Charges | \$        | 3,531.11        |
| Capital Outlays          | \$        | 5,956.00        |
| <b>Fund Total:</b>       | <b>\$</b> | <b>9,487.11</b> |

**Forefeited and Seized Assets Fund**

|                          |           |          |
|--------------------------|-----------|----------|
| Personnel Services       | \$        | -        |
| Supplies                 | \$        | -        |
| Other Services & Charges | \$        | -        |
| Capital Outlays          | \$        | -        |
| <b>Fund Total:</b>       | <b>\$</b> | <b>-</b> |

**Motor Vehicle Highway Fund**

|                          |           |                  |
|--------------------------|-----------|------------------|
| Personnel Services       | \$        | 11,587.91        |
| Supplies                 | \$        | 1,208.40         |
| Other Services & Charges | \$        | 625.00           |
| Capital Outlays          | \$        | -                |
| <b>Fund Total:</b>       | <b>\$</b> | <b>13,421.31</b> |

**Local Roads & Streets Fund**

|                          |           |              |
|--------------------------|-----------|--------------|
| Personnel Services       | \$        | -            |
| Supplies                 | \$        | -            |
| Other Services & Charges | \$        | 3,800.00     |
| Capital Outlays          | \$        | -            |
| <b>Fund Total:</b>       | <b>\$</b> | <b>3,800</b> |

**Special Events Non Reverting**

|                          |           |            |
|--------------------------|-----------|------------|
| Personnel Services       | \$        | -          |
| Supplies                 | \$        | -          |
| Other Services & Charges | \$        | 367.94     |
| Capital Outlays          | \$        | -          |
| <b>Fund Total:</b>       | <b>\$</b> | <b>368</b> |

**Safe Neighborhood Grant**

|                          |           |                 |
|--------------------------|-----------|-----------------|
| Personnel Services       | \$        | -               |
| Supplies                 | \$        | 6,722.66        |
| Other Services & Charges | \$        | 2,016.00        |
| Capital Outlays          | \$        | -               |
| <b>Fund Total:</b>       | <b>\$</b> | <b>8,738.66</b> |

**Sexual Predator Grant Fund**

|                          |           |                 |
|--------------------------|-----------|-----------------|
| Personnel Services       | \$        | -               |
| Supplies                 | \$        | -               |
| Other Services & Charges | \$        | 2,880.00        |
| Capital Outlays          | \$        | 800.00          |
| <b>Fund Total:</b>       | <b>\$</b> | <b>3,680.00</b> |

**Law Enf. Ed., Trng., & Supply Fund**

|                          |           |                 |
|--------------------------|-----------|-----------------|
| Personnel Services       | \$        | -               |
| Supplies                 | \$        | 6,289           |
| Other Services & Charges | \$        | 1,990.63        |
| Capital Outlays          | \$        | -               |
| <b>Fund Total:</b>       | <b>\$</b> | <b>8,279.88</b> |

**Gasoline Agency Fund**

|                          |           |          |
|--------------------------|-----------|----------|
| Supplies                 | \$        | -        |
| Other Services & Charges | \$        | -        |
| Capital Outlays          | \$        | -        |
| <b>Fund Total:</b>       | <b>\$</b> | <b>-</b> |

**Information & Comm Tech**

|                          |           |                 |
|--------------------------|-----------|-----------------|
| Personnel Services       | \$        | -               |
| Supplies                 | \$        | -               |
| Other Services & Charges | \$        | 5,923.76        |
| Capital Outlays          | \$        | -               |
| <b>Fund Total:</b>       | <b>\$</b> | <b>5,923.76</b> |

**Solid Waste District Grant Fund**

|                          |           |                 |
|--------------------------|-----------|-----------------|
| Personnel Services       |           |                 |
| Supplies                 | \$        | 4,885.00        |
| Other Services & Charges | \$        | 3,171.47        |
| Capital Outlays          | \$        | -               |
| <b>Fund Total:</b>       | <b>\$</b> | <b>8,056.47</b> |

**Civil Donation Fund**

|                    |           |               |
|--------------------|-----------|---------------|
| Non Specific       | \$        | 415.63        |
| <b>Fund Total:</b> | <b>\$</b> | <b>415.63</b> |

**Gaming Revenue Sharing Fund**

|                          |           |                   |
|--------------------------|-----------|-------------------|
| Supplies                 | \$        | -                 |
| Other Services & Charges | \$        | 214,530.83        |
| Capital Outlays          | \$        | 21,996.20         |
| <b>Fund Total:</b>       | <b>\$</b> | <b>236,527.03</b> |

**Municipal Cumulative Cap Dev**

|                          |           |                   |
|--------------------------|-----------|-------------------|
| Supplies                 | \$        | 5,416.42          |
| Other Services & Charges | \$        | 67,500.00         |
| Capital Outlays          | \$        | 52,661.92         |
| <b>Fund Total:</b>       | <b>\$</b> | <b>125,578.34</b> |

**Corporation Capital Fund**

|                                  |           |                   |
|----------------------------------|-----------|-------------------|
| Supplies                         | \$        | -                 |
| Other Services & Charges         | \$        | -                 |
| Capital Outlays                  | \$        | 124,049.32        |
| <b>Fund Total:</b>               | <b>\$</b> | <b>124,049.32</b> |
| <b>Total of All Civil Funds:</b> | <b>\$</b> | <b>1,244,518</b>  |

*Enterprise or Utility Funds*

**Sanitary District Special Operating Fund**

|                          |           |                 |
|--------------------------|-----------|-----------------|
| Personnel Services       | \$        | 390.00          |
| Supplies                 | \$        | -               |
| Other Services & Charges | \$        | 8,960.28        |
| Capital Outlays          | \$        | -               |
| <b>Fund Total:</b>       | <b>\$</b> | <b>9,350.28</b> |

**Sanitary District Capital Fund**

|                          |           |                     |
|--------------------------|-----------|---------------------|
| Personnel Services       | \$        | -                   |
| Supplies                 | \$        | -                   |
| Other Services & Charges | \$        | -                   |
| Capital Outlays          | \$        | 1,059,921.71        |
| <b>Fund Total:</b>       | <b>\$</b> | <b>1,059,921.71</b> |

**Sewage Works Operating Fund**

|                          |           |                   |
|--------------------------|-----------|-------------------|
| Personnel Services       | \$        | 115,194.86        |
| Supplies                 | \$        | -                 |
| Other Services & Charges | \$        | -                 |
| Capital Outlays          | \$        | -                 |
| <b>Fund Total:</b>       | <b>\$</b> | <b>115,194.86</b> |

**Sewage Works Improvement Fund**

|                          |           |                 |
|--------------------------|-----------|-----------------|
| Supplies                 | \$        | -               |
| Other Services & Charges | \$        | -               |
| Capital Outlays          | \$        | 1,988.67        |
| <b>Fund Total:</b>       | <b>\$</b> | <b>1,988.67</b> |

**Water Works Operating Fund**

|                          |           |                  |
|--------------------------|-----------|------------------|
| Personnel Services       | \$        | 26,553.31        |
| Supplies                 | \$        | -                |
| Other Services & Charges | \$        | -                |
| Capital Outlays          | \$        | -                |
| <b>Fund Total:</b>       | <b>\$</b> | <b>26,553.31</b> |

**Water Works Improvement Fund**

|                          |           |                  |
|--------------------------|-----------|------------------|
| Supplies                 | \$        | -                |
| Other Services & Charges | \$        | 15,857.36        |
| Capital Outlays          | \$        | 49,215.95        |
| <b>Fund Total:</b>       | <b>\$</b> | <b>65,073.31</b> |

**al of All Enterprise Utility Funds:** **\$ 1,278,082.14**

**Total of ALL FUNDS** **\$ 2,522,600.03**

- Action to approve compensatory time off for Exempt Salaried Personnel, pursuant to Section §4.03.01 of the Compensation and Benefits Ordinance. This temporarily waives the provisions of Section § 2.01 of the Compensation and Benefits Ordinance.

- 6.1 *Request from Clerk-Treasurer to permit the Deputy Clerk-Treasurer to use up to 40 hours of compensatory time, from a total of 58.5 hours (accrued and recorded as real hours no premium and from work in 2012) as paid time off.*

Councilor Herak moved the approval of the compensatory time for the Deputy Clerk-Treasurer as requested. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The use of the compensatory time as paid time off by the Deputy Clerk-Treasurer as an exempt salaried employee was approved.

**Comments from the Town Council Members**  
**(For the Good of the Order)**

- **Councilor Mark Herak:** • *Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission • Park and Recreation Board Liaison.*

Councilor Herak acknowledged the appointments to the Community Events Commission and noted that bands had been identified for the 2012 Independence Day Festival.

Councilor Herak recognized the Public Works Director who offered a cursory survey of the Indianapolis US 41 improvement project and other projects in progress.

Councilor Herak recognized the Parks and Recreation Superintendent who reported on the progress and timetable for the landscaping and paving associated with the refurbished Lincoln Community Center, suggesting a date at the middle of May.

- **Councilor Dan Vassar:** • *Redevelopment Commission Liaison.*

Councilor Vassar acknowledged the Redevelopment Director who offered a brief survey of matters related to Redevelopment and the Main Street Bureau. The Redevelopment Director further reported on the progress of the façade improvement program.

- **Councilor Konnie Kuiper:** • *Fire Department, Liaison • Town Board of Metropolitan Police Commissioners Liaison • Chamber of Commerce Liaison.*

Councilor Kuiper had no report.

- **Councilor Brian Novak:** • *Advisory Board of Zoning Appeals, Liaison • Traffic Safety Commission Member • Northwestern Indiana Regional Planning Commission member.*

Councilor Novak recognized the Building Commissioner who offered a brief survey regarding matters before the Advisory Board of Zoning Appeals.

- **Councilor Bernie Zemen:** *Town Executive • Chamber of Commerce Liaison • Police Pension Board Chairman • Plan Commission member • Liaison to the Board of Waterworks Directors*

Council President Zemen expressed his desire to schedule for the next study session of the Town Council a discussion of general raises, perhaps at 2%, premiums or bonuses of \$1,000 each, perhaps making these all effective July 1, 2012.

**Comments from the Public or Visitors**

1. Ted Oberc, 2904 Lincoln Street, Highland, inquired about the plans for drainage for the U.S. Highway 41 project, between Ridge Road and 81<sup>st</sup> Street, under the administration of the Indiana Department of Transportation,

**Payment of Accounts Payable Vouchers.** There being no comments from the public or visitors, Councilor Novak moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period March 13, 2012 through March 26, 2012 as well as the payroll dockets for the pay days of January 27, February 10, February 24, and March 09, 2012. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers for vendors and the payroll dockets were allowed and the Clerk-Treasurer was authorized to make payment.

**Vendors Accounts Payable Docket:**

**General Fund, \$230,319.25; Motor Vehicle Highway and Street (MVH) Fund, \$16,060.34; Forfeited and Seized Assets Fund, \$375.00; Law Enforcement Cont. Education and Supply Fund, \$2,279.38; Information and Communications Technology Fund, \$6,178.13; Special Events Non-Reverting Fund, \$506.00; Police Pension (1925 Law) Fund, \$58,940.42; Municipal Cumulative Capital Development Fund, \$26,742.47; Traffic and Law Violations Agency Fund, \$7,4662.00; Safe Neighborhood Grant Fund, \$1,344.00; Sexual Predator Grant Fund, \$2,880.00; Payroll Fund, \$29.03; Total: \$353,116.02.**

**Payroll Docket, payday of January 27, 2012:**

*Council Boards and Commissions, \$8,392.00; Office of the Clerk-Treasurer, \$11,814.58; Building and Inspection Department, \$6,408.56; Metropolitan Police Department, \$ 89,768.08; Fire Department, \$22,222.75; Public Works Department (Agency), \$61,488.27; and Police Pension Trust Fund (1925 Act), \$58,859.87; Total: \$258,954.11.*

**Payroll Docket, payday of February 10, 2012:**

*Council Boards and Commissions, \$0.00; Office of the Clerk-Treasurer, \$12,501.42; Building and Inspection Department, \$6,713.62; Metropolitan Police Department, \$ 94,069.94; Fire Department, \$2,841.95; Public Works Department (Agency), \$55,848.23; and Police Pension Trust Fund (1925 Act), \$0.00; Total: \$166,206.69.*

**Payroll Docket, payday of February 24, 2012:**

*Council Boards and Commissions, \$8,286.08; Office of the Clerk-Treasurer, \$11,814.58; Building and Inspection Department, \$6,408.56; Metropolitan Police Department, \$ 89,768.08; Fire Department, \$22,222.75; Public Works Department (Agency), \$61,488.27; and Police Pension Trust Fund (1925 Act), \$58,859.77; Total: \$239,121.01.*

**Payroll Docket, payday of March 12, 2012:**

*Council Boards and Commissions, \$0.00; Office of the Clerk-Treasurer, \$12,421.54; Building and Inspection Department, \$6,768.44; Metropolitan Police Department, \$ 93,270.71; Fire Department, \$2,677.81; Public Works Department (Agency), 54,695.29; and Police Pension Trust Fund (1925 Act), \$0.00; Total: \$169,833.79*

**Adjournment.** Councilor Kuiper moved that the plenary meeting be adjourned. Councilor Novak seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, March 26, 2012 was adjourned at 7:46 O'clock p.m. There was no study session following the plenary meeting.

Michael W. Griffin, IAMC/MMC/CPFA  
Clerk-Treasurer